

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
BIG STONE GAP DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT ASHINGTON, VA  
FILED

MAY 28 2004

JOHN F. SORCORAN, CLERK  
BY: *[Signature]*  
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A. F. McCAULEY, et al.,	)	
Plaintiffs	)	Case Nos. 2:01CV00080 and
	)	2:02CV00054
v.	)	
	)	<b><u>ORDER</u></b>
PURDUE PHARMA, L.P., et al.,	)	
Defendants	)	By: Pamela Meade Sargent
	)	United States Magistrate Judge

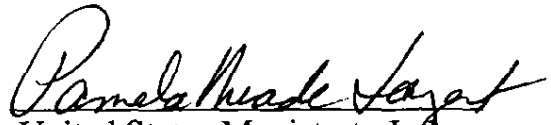
These consolidated matters are before the undersigned on the defendants' motion for determination of confidentiality, (Civil Action No. 2:02-cv-00054, Docket Item No. 258; Civil Action No. 2:01-cv-00080, Docket Item No. 353), and motion to compel certain admissions, (Civil Action No. 2:02-cv-00054, Docket Item No. 259; Civil Action No. 2:01-cv-00080, Docket Item No. 354). Oral argument was presented by counsel by telephone conference call on May 28, 2004. Based on the arguments of counsel, it is **ORDERED** as follows:

1. The defendants' motion for determination of confidentiality, (Civil Action No. 2:02-cv-00054, Docket Item No. 258; Civil Action No. 2:01-cv-00080, Docket Item No. 353), is taken under advisement;
2. By agreement of the parties, the depositions of the plaintiffs filed with the court under seal for its review on the defendants' pending motions for summary judgment will be designated as "confidential" materials under the court's Protective Order until further order of the court;

3. The defendants' motion to compel certain admissions, (Civil Action No. 2:02-cv-00054, Docket Item No. 259; Civil Action No. 2:01-cv-00080, Docket Item No. ~~3~~54), is **granted**, and the medical and employment records attached to defendants' March 25, 2004, and March 31, 2004, requests for admission are deemed to be authentic under Fed. R. Civ. P. 901 and constitute records of regularly recorded activity under Fed. R. Civ. P. 803(6).

The Clerk shall forward certified copies of this Order to all counsel of record.

ENTER: May 20, 2004.

  
United States Magistrate Judge